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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

SIERRA CLUB,

Petitioner,

v.

THE SUPERIOR COURT OF ORANGE
COUNTY,

Respondent;

COUNTY OF ORANGE,

Real Party in Interest.

G044138

(Super. Ct. No. 30-2009-00121878-
CU-WM-CJC)

O P I N I O N

Original proceedings; petition for a writ of mandate to challenge an order of the Superior Court of Orange County, James J. Di Cesare, Judge. Petition granted.

Venskus & Associates and Sabrina D. Venskus for Petitioner.

Michel & Associates and C.D. Michel for Members of the GIS Community as Amici Curiae on behalf of Petitioner.

Law Offices of Michael W. Stamp, Michael W. Stamp, and Molly Erickson for The Open Monterey Project as Amicus Curiae on behalf of Petitioner.

M. Rhead Enion for Academic Researchers in Public Health, Urban Planning and Environmental Justice as Amici Curiae on behalf of Petitioner.

Meyer, Klipper & Mohr, Christopher A. Mohr, Michael R. Klipper; Coblenz, Patch, Duffy & Bass, Jeffrey G. Knowles, and Julia D. Greer for Consumer Data Industry Association, Corelogic, LexisNexis, The National Association of Profession Background Screeners, and the Software & Information Industry Association as Amici Curiae on behalf of Petitioner.

Holme Roberts & Owen, Rachel Matteo-Boehm, Katherine Keating and Leila Knox for Media and Open Government, First Amendment Coalition, Freedom Communications, Inc., publisher of the Orange County Register, Los Angeles Times Communication LLC, doing business as Los Angeles Times, The Associated Press, Bay Area News Group, Bloomberg News, Courthouse News Service, Gannett Co., Inc., Hearst Corporation, Lee Enterprises, Incorporated, The McClatchy Company, Patch Media Corporation, The San Francisco Examiner, Wired, American Society of News Editors, Association of Capitol Reporters and Editors, California Newspaper Publishers Association, Citizen Media Law Project, Electronic Frontier Foundation, First Amendment Coalition of Arizona, National Freedom of Information Coalition, Openthegovernment.org, The Reporters Committee for Freedom of the Press, and Society of Professional Journalists as Amici Curiae on behalf of Petitioner.

No appearance for Respondent.

Nicholas S. Chrisos, County Counsel, Mark D. Servino, Rebecca S. Leeds, and Karen L. Christensen, Deputy County Counsel, for Real Party in Interest.

Best Best & Krieger and Shawn Hagerty for League of California Cities and California State Association of Counties as Amici Curiae on Behalf of Real Party in Interest.

Petitioner Sierra Club sought a writ of mandate from the superior court to compel Orange County to provide Sierra Club, under the California Public Records Act (PRA) (Gov. Code, § 6250 et seq.), a database called the OC Landbase in a geographic information system (GIS) format. The trial court denied Sierra Club's petition for writ of mandate after concluding that the OC Landbase in GIS file format was part of a computer mapping system exempt from disclosure under the PRA pursuant to the computer software exclusion set forth in Government Code section 6254.9, subdivision (a). We affirmed. The California Supreme Court reversed our judgment and remanded with directions that we remand to the trial court to issue a writ consistent with the California Supreme Court's opinion. (See *Sierra Club v. Superior Court* (2013) 57 Cal.4th 157.) We therefore remand to the trial court with directions to issue a writ of mandate compelling Orange County to provide Sierra Club with the OC Landbase in GIS format for a fee covering only the direct cost of duplication. We award costs incurred on appeal to Sierra Club.

IKOLA, J.

WE CONCUR:

O'LEARY, P. J.

MOORE, J.